THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2049 of 2007

Date: 17.04.2007

Between:

G.S.R.& Co.

....Petitioner

And

The superintending Engineer and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2049 of 2007

O R D E R:

Petitioner claims that it is a lessee of the 5th respondent, in respect of a ginning mill, situated at Nutalapadu Village, Parchur Mandal, Prakasam District. Disputes arose between the petitioner and the 5th respondent and the latter filed O.S.No.3 of 2006 in the Court of Senior Civil Judge, Parchur, for eviction of the petitioner. In the meanwhile, the 5th respondent addressed a letter to respondents 1 to 4, with a prayer to disconnect the power supply. Acceding to his request, respondents 1 to 4 have effected disconnection of power supply to the petitioner. The same is challenged in this Writ Petition.

Heard the learned counsel for the petitioner, the Standing Counsel for respondents 1 to 4 and Sri Niranjan Reddy, the learned counsel for the 5th respondent.

It is no doubt true that the service connection for the

premises, in question, stands in the name of the 5th respondent and he has every right to request for disconnection. However, when the premises are in possession of another individual, the unilateral disconnection of power supply cannot be permitted. The power supply to any premises is an important amenity and before the same is discontinued, an order of the Court needs to be obtained. The allegation of the petitioner that it is paying the consumption charges regularly is not denied. The power supply has already been restored, in compliance with the interim order passed by this Court.

Hence, the Writ Petition is disposed of, directing that respondents 1 to 4 shall continue power supply to the petitioner, unless and until any specific order is passed by the Court of Senior Civil Judge, Parchur in O.S.No.3 of 2006. The petitioner shall abide by the outcome of O.S.No.3 of 2006, be it, in the matter of possession over the premises or supply of electric power. The trial Court shall endeavour to dispose of the suit as early as possible. There shall be no order as to costs.

17.04.2007

JSU